

Borough Monitoring – Quarterly Report

October 24, 2022 (Period ending 2nd Quarter, 2022)

Executive Summary

The primary objective of the Borough Monitoring team is to report progress NYCHA is making towards achieving commitments set forth in the Transformation and Implementation Plans including the varied initiatives that support the creation of the new neighborhood operating model. This work also complements areas where NYCHA endeavors to achieve goals set forth in the organizational plan, action plans, HUD Agreement, and to track progress towards addressing KPMG recommendations. The team therefore evaluates whether operational components at the borough, neighborhood and development level are adequately supported and achieving broader NYCHA goals.

This report identifies issues at a high level and is an assessment of NYCHA's transformation. It is intended to provide guidance to the Monitor, NYCHA and other stakeholders by its observations of the operational impact of central office initiatives. Observations and Recommendations presented below are based on over forty interviews with front-line NYCHA staff in neighborhoods across the five boroughs. Recommendations below must be considered by NYCHA in the furtherance of the new Neighborhood operating model to accomplish long-term sustained change.

Initiatives/Operational Areas Reviewed this reporting period:

Rule Enforcement and Occupancy Management, Work Order Reform

Rule Enforcement / Occupancy Management - Observations

- NYCHA's Lease Enforcement initiative identified in the Transformation Plan was primarily focused on non-payment cases and failed to address policies and procedures for administrative cases (rule breach/non-desirability) which have the greatest impact on residents.
- Property management staff perceive that lease enforcement support has diminished significantly.
- Enforcement efforts at the development level and referrals to the Office of Tenancy Administration ("OTA") and the Law Department result in few actual consequences for problematic residents.
- The Law Department and OTA report that Property Managers have discretion to bring cases. Property Managers contradict that account and report restrictions on the type of cases that the Law Department or OTA will pursue implying an unspoken policy of prosecuting high-profile cases only.
- NYCHA has not and does not address property management staff concerns for their personal safety when enforcing non-compliance with NYCHA rules and/or lease obligations.
- Law Department restructuring, systems reporting, meeting cadence and data reporting to support property management was not done in concert with the development of the neighborhood operating model and does not adequately align with the support needs of front-line staff.
- Data tracking and reporting on lease enforcement processes is inaccessible, segmented and lacks transparency.

- Recent changes to NYCHA’s policy to address rent non-payment/delinquency cases are welcomed by staff as these have reduced the responsibilities of some staff at the developments.

Rule Enforcement / Occupancy Management - Recommendations

- Evaluate current tools/methods available to development staff for deterring undesirable resident behavior and explore new options with resident and staff input.
- Develop and document lease enforcement policies that consider administrative cases (including breach of rule and undesirability cases) to increase transparency and to provide clear guidance for operations/property management staff.
- Update Management Manual, last updated 2016, to reflect recent and new policy changes.
- The Law Department and OTA should develop training for appropriate operations staff that reflect new policies and is periodically deployed by Learning and Development.
- Implementation of the neighborhood operating model must include the Law Department and other NYCHA business units who support the lease enforcement process; future adjustments to business processes require augmenting enforcement support for development staff.
- Hire additional staff, assigned to the Office of Safety and Security, as security specialists. These individuals should be aligned with the neighborhood operating model and charged with, among other things, providing investigative and enforcement support to front-line staff in furtherance of enforcing NYCHA rules and leases. These positions should be primarily responsible for ensuring safe and secure conditions for residents and NYCHA staff and will act as a buffer between development staff and non-compliant residents.
- Review policies and procedures in connection with resident move-outs and turnover; Develop a process to hand-over and change locks on move-out (same day) to reduce illegal occupancy by unauthorized individuals not identified in NYCHA leases.
- Develop guidance for staff to access policies procedures and contact information for Law Department staff on the NYCHA Connect Portal.
- Incorporate KPI standards into NYCHA Stat that track: referrals to OTA, OTA referrals to the Law Department, prosecuted cases by the Law Department, actual evictions and success rate of alternatives to case prosecution.
- Evaluate and strengthen data tracking and reporting systems used at each stage of the lease enforcement process; this includes considerations to upgrade and integrate legacy systems (e.g., AS400, Siebel).
- Develop training and corresponding policies that inform discretionary decisions by property management to permit individuals to retain apartments who are not remaining family members or authorized to live in apartments.
- Provide staff training on de-escalation techniques, mitigating mental health challenges, evidence collection and lease enforcement case development. Consider train-the-trainer programs and empowering NAs to take on an active training/leadership role.

Work order Reform - Observations

- The work order backlog, which was not intended by NYCHA to be included in the work order reform initiative, will negatively impact the intended outcomes of work order reform.

Emergencies, high priority repairs and ongoing specialized initiatives have unexpectedly impacted NYCHA's ability to resolve new work orders.

- Implementation of WOR during this year has presented variables in each borough that are rapidly changing and are either being or are in the process of being addressed as the program evolves.
- Role specific standardized training for staff has had a positive impact on program implementation and promotes consistency in NYCHA's city-wide operation.
- Initial sentiment by staff regarding WOR in the Bronx was mixed and may have changed over time. Additional time is required to accurately gauge the impact of WOR implementation and will be reassessed at a future date by the Borough Monitoring team.

Work order Reform - Recommendations

- The Borough Monitoring team is deferring recommendations until further evaluation and consideration of ongoing efforts to mitigate issues as they arise.
- Full implementation efforts across the enterprise must be realized for the Borough Monitoring team to fully assess the programmatic impact.

Conclusions

For years and in various forums residents and staff have identified safety, security and the enforcement of NYCHA's rules and leases as a primary concern and an area requiring change. The Lease Enforcement initiative as described in the Transformation Plan originally contemplated a broader scope than that which was delivered. NYCHA narrowed the scope to address primarily non-payment cases, but a significant gap remains. An issue-based approach to lease enforcement has resulted in many open questions by residents and staff regarding how NYCHA, including the Law Department, Office of Tenancy and Administration, Property Management, Resident Engagement, Office of Safety and Security and Family Partnerships, are prioritizing and planning to address *remaining issues* associated with lease enforcement. Whether NYCHA collects arrears is of little consequence to residents and development staff. There are many variables that impact NYCHA's ability to enforce the many types of lease violations, some of which may be out of NYCHA's control. If necessary, NYCHA must petition elected officials and advocate for policy change to enhance its ability to pursue enforcement for the benefit of its residents. For example, petitioning for assignment of a Housing Court Judge in each borough dedicated to addressing non-desirability and rule infraction cases. NYCHA must further assess how, during this time of "Transformation," the organization can better equip its staff to enforce those cases where NYCHA rules impact resident quality of life. Failing to adequately pursue the enforcement of NYCHA's rules itself is a dangerous proposition and most certainly leaves NYCHA failing to provide "decent, *safe* and affordable housing" as required by HUD. NYCHA must consider the harmful impact that non-desirability and other administrative cases have on its residents, and the front-line staff who are expected to enforce NYCHA rules. It is incumbent on NYCHA as an organization to immediately bring the multiple business units who contribute to rule enforcement together and more holistically evaluate the impact of pursuing more non-desirability cases. Consideration of how those units can better support front-line staff is a key consideration of the neighborhood operating model. Efforts to improve in this area will result in positive cultural change amongst staff, significantly improve resident well-being, and discourage future non-compliance by resident bad actors.

Observations

Beginning April 2022 during the second quarter of the year (“Q2”), the Borough Monitoring team conducted approximately forty interviews of various members of NYCHA’s borough management and development staff to assess progress towards accomplishing organizational change and alignment with the neighborhood operating model. Key areas undergoing transformation reviewed during the current reporting period include Rule (Lease) Enforcement and Work Order Reform. After initial interviews of field staff, supplemental meetings for follow-up were scheduled with the Office of Tenancy Administration (“OTA”) and the Law Department.

The neighborhood operating model is still in development by NYCHA. Through various iterations NYCHA had previously defined the Neighborhood Model as the reallocation of development assignments; the integration of mixed-finance and NGO¹ into the borough portfolio; the creation and assignment of Neighborhood Administrators (“NA”); and the creation and assignment of Neighborhood Planners tasked to schedule skilled trades. Over the last year, NYCHA has struggled to further develop their vision for the Neighborhood Model. For example, NYCHA is developing what it has described as a Neighborhood Model within the Heating Maintenance and Service Department, as well as separately within the Waste Management Division. While reorganization of individual business units to better align with neighborhoods is a positive step, the integration of the specialized business functionality into day-to-day operations at individual developments presents a larger challenge. As independent efforts within departments continue to shape an eventual neighborhood operating model, it continues to remain unclear to what extent NYCHA will ultimately “decentralize” business units and what the enterprise will look like at the completion of its transformation.² During Q2, the Neighborhood Model Working group meetings were often canceled and NYCHA has not accomplished goals to develop key components of the Neighborhood Model outlined in Strategy and Innovation’s 100 Day Memo. In fact, NYCHA has reported abandoning many of its prior commitments set forth in their 100 Day Memo.³ Below are the Monitor’s observations.

Rule Enforcement / Occupancy Management

New York State initiated a moratorium on eviction⁴ (“Moratorium”) proceedings for approximately two years during the COVID epidemic. The Moratorium was lifted in January 2022 but has impacted NYCHA’s ability to pursue eviction cases which will be discussed in more detail below.

During 2019 the monitoring team began visiting developments and recording complaints to better understand systemic issues routinely encountered by residents. Quality of life issues were the most common complaints with safety and security beginning to take precedent. Specific concerns by residents often included fear of being assaulted, trash thrown in hallways or from windows, smoking inside and in front of buildings, drug sales and use in open view, loud music and noise, illegal tenants/squatters, large

¹ NextGen Operations Developments (e.g., NGO1) are part of an initiative developed by former New York City Mayor Bill de Blasio and NYCHA. Mixed finance are developments that transitioned into the Section 8 program but remain under NYCHA management.

² Borough Monitoring Report, p. 3 (March 5, 2022).

³ This detail was derived during meetings with NYCHA in Q3 and not during the Q2 reporting period.

⁴ The Tenant Safe Harbor Act, Chapter 127 of 2020 expired on January 15, 2022.

dogs exceeding permitted weight limits, or damage to NYCHA property. Residents clamored for NYCHA to improve enforcement of its lease rules.

In December 2019, KPMG completed the organizational consultant report required by the HUD Agreement and indicated that “[on] average for the last 5 years [2014-2019], NYCHA had 613 households enter the eviction process for a public housing portfolio of 175,636 units resulting in an eviction rate of approximately 0.34%.” Although well below the average eviction rate of 6.6% as compared to other Public Housing Authorities, it was still less than half of the New York City-wide average of 0.8%.⁵ NYCHA staff and residents reported, “...evicting residents is a difficult and lengthy process and [is] an unreliable mechanism for enforcing the lease.” However, the staff also expressed that “...they feel there is a lack of mechanisms to hold residents accountable for non-compliance with lease terms.”⁶

NYCHA’s March 2021 Transformation Plan committed to complete a “Re-Assessment of [the] Lease Enforcement Process”⁷ (“Lease Enforcement Initiative”) described as “... the Law Department, Public Housing Tenancy Administration and Operations [] conducting an assessment to design a new business process for lease enforcement actions.” The plan goes on to explain how NYCHA will use data analytics to identify the correct rent delinquency cases to pursue; remove responsibility from Housing Assistants and Property Managers (“PM”) from initiating rent delinquency cases; and improve interventions to avoid resident evictions when appropriate so that staff could “...better focus [] efforts in court on cases involving “non-desirability” and consistent non-payment.”⁸ NYCHA acknowledged the need to assess lease enforcement and indicated that the “[Resident] roundtable will make recommendations on items such as lease enforcement ...”⁹

Following the Transformation Plan in 2021, NYCHA developed a project plan setting forth goals and expected outcomes for the Lease Enforcement Initiative. The project scope included a re-design of NYCHA’s business processes for developing and litigating non-payment and licensee holdover cases.¹⁰ The project charter narrowed the scope of NYCHA’s initial commitment in the Transformation Plan to conduct an assessment to design a new business process for lease enforcement action. Beginning in 2021 for about a year, NYCHA held regular internal and resident meetings to develop NYCHA’s new policy addressing rent delinquency. Resident leaders and members of the Resident Round Table who participated in weekly lease enforcement meetings also contributed to the development of the Vision Statement on the Future of Lease Enforcement (“Vision Statement”),¹¹ a set of conclusions that frame and prioritize how NYCHA should approach the enforcement of NYCHA leases. In February 2022, the project initiative was marked as complete by NYCHA, and the Vision Statement was passed on to the Resident

⁵ Current State Observations and Maturity Assessment Report, p. 42, p.133 (December 2019).

⁶ Id. at 181 (December 2019).

⁷ Transformation Plan, Strategy J.1: Assessment of Lease Enforcement Process, p. 98 (March 2, 2021).

⁸ Id.

⁹ Transformation Plan, p. 88 (March 2, 2021).

¹⁰ Transform NYCHA Project Plan, p. 5 (March 2, 2021). The project scope *did not* include a review of the administrative hearing process, implementation of elements of the *Fields* consent decree, or court-ordered repair cases.

¹¹ Dated November 24, 2021.

Round Table for further consideration with *no future commitment or plan to address business processes for cases beyond non-payment cases.*

In June 2022, the Resident Round Table presented topics for consideration from four subcommittees. Despite months of work, the Vision Statement conclusions were not a central focus. Notwithstanding NYCHA's failure to proactively address all issues raised by residents in the Vision Statement, the Monitor urges NYCHA's Law Department, Office of Safety and Security, Office of Tenancy Administration, Office of Family Partnerships, and Operations to act in response to conclusions and recommendations put forth in the Vision Statement. For the last three years resident concerns that ring loudest continue to center on quality of life and safety and security. While budget constraints are a recognized barrier to certain improvements, it is incumbent on NYCHA to identify how and when it intends to address outstanding issues raised by residents and staff.

Rule enforcement and occupancy management, or lease enforcement are broad terms. There are strict policies around lease terminations. The Monitor's focus in this report goes beyond non-payment cases and touches on administrative cases, which collectively include non-desirability, breach of rules and regulations, non-verifiable income, chronic rent payment delinquency, holdover and licensee cases.

Enforcing NYCHA's lease terms and housing rules is complex. It requires coordination and a series of hand-offs between multiple business units who each have varied roles in a larger process. The impact of that process in the context of a future neighborhood operating model is the subject of review.

NYCHA Leases

Every NYCHA resident is provided a copy of their lease that sets forth NYCHA's rules and establishes what is expected of its residents. Property Management staff are expected by the central office and NYCHA residents to enforce NYCHA rules. This requirement has not changed as NYCHA continues to develop the new neighborhood model. The tools available for enforcement consist of letters sent to residents, meetings where residents may be required to produce information or documents to property management staff, and research assistance from the Law Department.¹² Many property management staff also reported regularly using the HUD Electronic Income Verification ("EIV") system to verify resident income, work status, and resident deaths. After infractions have been adequately documented and explanatory meetings with residents¹³ have been completed, an enforcement case is then handed off to the Office of Tenancy Administration¹⁴ to verify documents are in order and necessary notifications have been made to the apartment occupant. According to staff, lease enforcement cases were not pursued due to COVID until April 2022.¹⁵

¹² Staff across all five boroughs consistently identified one individual in the Law Department who supports investigative research needs.

¹³ Meetings with residents are prompted by development staff sending a letter (e.g., 185 letter) to the household for a meeting with the property manager.

¹⁴ The Office of Tenancy Administration was created in response to several suits brought against NYCHA going back to mid-1950.

¹⁵ Field staff reported this date. In property management borough meetings on January 12 and 13, in preparation for the expiring moratorium, NYCHA provided staff with instructions regarding case prioritization. In a guidance memorandum dated January 21, 2022, the Interim Chief Operating Officer issued a policy revision for a new

The enforcement of NYCHA’s rules is a significant component of Property Managers’ responsibilities. The Monitor consistently found that most staff interviewed were aware of relevant procedures and received training on the steps required to pursue lease enforcement cases with minimal involvement from Neighborhood Administrators. While Property Managers are primarily accountable, Housing Assistants (“HA”) contribute significantly and are responsible for most of the work. “The HAs always manage the cases that they are assigned. Each HA may have 200 residents they are assigned to cover everything from rent collection, recertification, etc.” After a Housing Assistant prepares a case and submits it to the Property Manager the case is sent “downtown” to OTA. A new policy regarding non-payment cases has introduced an exception to the standard workflow. These cases are now initiated by the Law Department based on a fixed criterion. This process does not include evaluation, approval or tracking by an NA or staff at the borough office.

Impact of the Moratorium

As a result of the Moratorium, eviction was no longer a viable enforcement tool. During a recent interview one staff member recalled that “[l]ease enforcement at NYCHA used to be great. Residents were sent down for infractions and terminated if they continued to break those rules ... they received several warnings but knew if they did not stop ... they could be terminated. That caused a lot of changed behavior.” Generally, staff described how NYCHA addressed lease enforcement in the past indicating that “NYCHA has become more lenient” specifically stating that, “[a]s years have passed, residents started to get away with things that they know they should not be doing.” The hiatus from enforcement due to the Moratorium has itself presented operational challenges. “Given the pandemic and the lack of action by the Law Department and Housing Court, it becomes very hard to hold residents accountable.” The same Brooklyn Property Manager went on to explain that residents “know how to play the game.” The Monitor however could not conclude to a reasonable degree of certainty whether prior to the Moratorium evictions were pursued at a more frequent rate.¹⁶

The impact of the Moratorium has affected resident behavior, and development staff have also indicated a resistance to send enforcement cases to OTA. Their reluctance may be attributed to the ramp up time required to pursue actionable cases since the Moratorium was lifted only earlier this year. A Brooklyn Property Manager said he tends to hold back “...things like smoking, garbage out the window ... hoping we can find another charge against the tenant.” He went on to acknowledge that his effort to prioritize enforcement at the development of “... warrants, licensee cases and squatters” may not align with Law Department priorities. Staff said that “[l]aw sent a list of which types of cases are high priority and low priority”, and “[m]inor cases like chronic rent delinquency do[]n’t get a lot of attention.”¹⁷

Eviction is not the only activity that may be undertaken by NYCHA to enforce lease rules and hold residents accountable. Oral and written warnings, resident meetings with Property Managers and active monitoring by property management staff are also impactful. In the past, “[r]esident behavior changed through these

procedure addressing Tenant Grievances meant to replace an existing section in NYCHA’s Management Manual – entitled Termination of Tenancy (p. 1-6).

¹⁶ In several email exchanges with the Law Department and the Office of Tenancy Administration, after both produced data regarding case referrals and prosecutions, the Monitor was unable to discern the number of referrals and case dispositions from a time predating the Moratorium.

¹⁷ For example, NYCHA has identified non-payment cases where arrears exceed \$10,000 as priority cases.

warnings”, said a Brooklyn Property Manager and “[n]ow, we don’t give out those slips anymore” and “[d]og tags are not given out for dogs to be registered.” A contrary account was reported by a Bronx Property Manager who explained that he “... doesn’t hold back documenting breaches including [all] infractions ... and reporting cases to OTA.” Efforts by property management staff to document and record non-compliance have little impact in cases of continued non-compliance if escalation to the OTA and the Law Department yields no actual results.

Managed Services, the Office of Tenancy Administration & the Law Department

The Office of Tenancy Administration was established in response to a series of consent decrees. (e.g., Escalera¹⁸ & Tyson/Randolph). The OTA closely reviews termination and grievance cases to assist, where possible, with addressing curable breach cases, and ensuring that supporting documentation is submitted with all cases forwarded to the Law Department. Functionally, development staff see the OTA as a “stop-off” point for an enforcement case before submission to the Law Department. The OTA is viewed by some as the decision-maker regarding the viability of a case. The referral from the local development to the OTA does not require approval by the NA or engagement within the Borough, it is a direct – system driven (e.g., Siebel) process. Once referred, cases are not actively reviewed by NAs or the borough staff, unless an issue arises.

If the OTA approves, then the case may be referred to the Law Department. Administratively the OTA serves to ensure that required documentation is in order. During our interview with the OTA and the Law Department, it was their collective view that the Property Managers make all decisions in connection with initiating a case.¹⁹ While both are not inconsistent, development staff conveyed a sense of helplessness. Despite efforts to enforce the rules by initiating cases, development staff have few Law Department success stories reinforced by NYCHA lawyers affirmatively litigating their cases with favorable results.

Understaffed, and inundated with a significant backlog, the Law Department struggles to keep up with incoming cases. NYCHA successfully established a clear criterion to address non-payment cases, dismissing thousands of cases informed by the Lease Enforcement initiative in the Transformation Plan. What remains unclear and inconsistent to Property Management staff is the criteria used to advance administrative cases.²⁰ Specifically, cases involving a breach of NYCHA rules remain at issue. A Property Manager in Brooklyn referring to breach of rule cases said, “[i]n my opinion these cases are not looked at” and “[m]anagement shouldn’t waste their time if the Law Department and judge won’t do something about it.” Ultimately, the discretion to initiate a case is not enough when staff don’t see that at least some cases translate into favorable results. Another property manager said it’s “... [t]ough for the development to enforce these rules when the law department or the courts won’t follow through.”

Staff frustration with case prosecution should not be confused with improvements that have been made within the Law Department. When asked about the Law Department, one Brooklyn Property Manager

¹⁸ Consent Decree, *Escalera v. New York City Hous. Auth.*, 425 F.2d 853 (2d Cir. 1970), cert. denied, 400 U.S. 853 (1970).

¹⁹ An exception are non-verified income cases which are automatically referred without input from the property managers.

²⁰ NYHCA’s policy to pursue holdovers, licensee & squatters, and termination of tenancy cases for non-desirability and breach of rules requires a threat to the health and safety of staff or residents. NYCHA Lease Enforcement Communications, Property Management Borough Meetings. January 2022.

said there was “more unity than ever seen before” and described the Law Department as “... very hands on recently and [they] communicate which cases they are currently working on and what info they may need.” Satisfied with recent improvements the Property Manager identified challenges that occur “...when the law department doesn’t pursue a case because we lose credibility in the resident’s eyes”, and went on to explain that “[r]esidents who complained will think that we didn’t follow through ...” There is no bright line solution to resolve this nuance of the job, it is inherent in the role of Property Manager; however, NYCHA can develop policies and procedures that consider the perception of non-responsiveness to resident complaints. The Property Manager concluded the conversation by saying, “[r]esidents need to see follow through so that they know the managers are doing their jobs.” Communication between business units and accountability within the Neighborhood Operating model to report progress and outcomes to residents may be a solution.

The Law Department itself seems to be the victim of a process that is beyond its control. As a result of New York City’s Right to Counsel law, residents of NYCHA are entitled to representation in all administrative proceedings provided by nonprofit legal services organizations. While administrative proceedings tend to draw out the legal eviction process, the Law Department reported that difficulties getting legal services attorneys to pick up cases has compounded the problem. The result is added delay because cases cannot proceed in due course. Development staff are likely unaware of this variable or its impact.

Both OTA and the Law Department will attempt to cure breaches and settle cases. This is to be expected considering the number of incoming cases and hours required to pursue cases in court. Since the moratorium was lifted, the Law Department has seen mostly grievance cases. The Law Department has said that their primary goal is to pursue non-payment cases, which corresponds with feedback we received from development staff.

Despite the challenges, the Monitor recommends a commitment from NYCHA to pursue breach of rule cases thereby demonstrating the support that Property Management staff have been seeking. As stated by a NYCHA Property Manager, it would also “ ... [g]ive them something to ‘show residents’ and to reinforce that there are consequences for resident activity that violates NYCHA leases.”

Case Tracking and Data

At the development level there were varied methods of tracking cases across the city. One PM described a “legal action log” and a periodic “line by line” review with HAs for every case. Another PM agreed and said, “... cases get lost in the system, if you aren’t tracking them, you will lose track of them.” “Housing Assistants put the cases together and manage all cases for residents they are assigned.”²¹ Another manager in the Bronx said he was “unaware of any database or tracking system / spreadsheets” and that “Neighborhood Administrators are responsible for follow-up.” The responsibility to track, record and review lease enforcement data must be built into the neighborhood operating model. The evolution of NYCHA Stat and NYCHA’s commitment to “data driven decision-making” suggests that both the Borough and the Neighborhoods will eventually have to account for lease enforcement activities.

²¹ As a result of the Lease Enforcement initiative outlined in NYCHA’s Transformation Plan, Housing Assistants are no longer required to initiate rent delinquency cases. Housing Assistants are responsible for most other cases pertaining to the enforcement of NYCHA leases.

In addition to logs described by development staff there are various data systems that support lease enforcement activities. For example, the Electronic Income Verification (“EIV”) system is a HUD system used by staff to verify resident status and income. The Siebel system records certain information. Case notes referred to as the “electronic interview record” are recorded into the AS400 system, an antiquated IBM program that does not integrate with Siebel. The Law Department recognized challenges presented to development staff who input data into the two systems. The eventual phase-out of AS400 and its integration into Siebel was put on hold in 2020.²²

Every property manager has a “queue” in Siebel. One Brooklyn PM said “[W]e can go back to the cases in Siebel, through the SR number and find out what the status is. The law department will update the cases in Siebel, they may put a note indicating they need a document, and the development can track it that way. When the manager logs into Siebel, they have access to all the cases they have submitted but they need to keep track of them on their own with a spreadsheet, document or form. They will keep a record of the case, the SR number, when they sent it, etc. and then they enter the SR number into Siebel and track the case.” Staff reported that tracking cases in the system takes time, and all case details may not be recorded. For example, case notes reside in one system, while case status and administrative tasks associated with the case reside in a different system. “When a case is settled, we usually must call them to find out what the decision was. If *they* put the decision into Siebel, the manager can find out that way but sometimes *they* don’t put the documents into Siebel.” The Brooklyn PM went on to say, “[i]t is easier to find out by calling the Law Department.” Overall staff are engaged and want to know “what is next” during the pendency of a case and how else they can assist. Ideally, a Bronx PM said he “... would like to access OTA files to review the status of cases in real time.”

Data that tracks the life of a case must be accessible to every business unit that is engaged in the life of a case from inception through conclusion. Currently, the Law Department maintains spreadsheets tracking withdrawal cases, while case evidence and supportive interview notes are entered into AS400 and Siebel. Separate referral logs tracking referrals to the OTA and the Law Department are maintained at individual developments. Real-time case status information will improve transparency and accessibility for development staff. Operations, the Law Department, the OTA and other impacted business units within NYCHA must form a consensus regarding their respective roles and responsibilities. As the neighborhood operating model evolves, NYCHA must define how central office functions will support property management staff to accomplish their day-to-day tasks.

Lease Enforcement Activity and Challenges

Consensus by staff is that “[n]on-payments are the current priority” and all other cases are “on hold” except select emergency administrative cases taken on by the Law Department after consultation. When asked which type of cases are expedited, a Property Manager in the Bronx said, “ ... immediate attention is given to cases where a RAP or a Resident Leader makes a complaint, they are prioritized.” Staff overall appreciate the need to prioritize cases, and the complexities of eventual termination, but simultaneously expressed frustration that non-desirability and breach of rule cases are not more frequently pursued. Unless accompanied by a health and safety risk to staff or residents, the likelihood of a case being pursued

²² A Request for Proposal was published by NYCHA June 2022 for the development of a cloud-based Resident Case Management System. The scope of work suggests that an improved cloud-based application may replace both Siebel and AS400. The vendor to complete the work is expected to be selected in November 2022.

is slim. A Brooklyn PM speculated, “I don’t think it’s a case of NYCHA not enforcing rules as much as it is a situation where there are so many “emergency” cases that are taking the time of the Law Department. “Smoking and dogs are going to be lesser priorities and often times they don’t get to those cases.” There was, however, optimism voiced by some staff who noted that with the reopening of the courts, the “Law Department [is] pursuing more and more cases; and the Hearing Officers and Courts are starting to accept more and more cases.”

Staff perception is that cases must be egregious for the central office to act. One PM said, “OTA decides whether to push to evict, give [a] tenant probation, [and] where cases go within the Law Department.” Staff highlighted significant challenges acquiring necessary evidence to support certain enforcement cases. Another PM explained we see “garbage all day everyday out the window”, but “[g]arbage cases [are] hard to pursue and evidence is difficult.” In Manhattan, a PM reported “[e]verybody has a dog and they are all over 25 pounds. Every unit seems to have one and maintenance won’t go in if there is a dog. Residents know the *service dog ploy*.” Similarly, noise complaints and smoking are “... referred cases [that] must have hard evidence with a witness.” However, in cases where there is clear evidence provided to the OTA and the Law Department, staff expressed frustration because cases are often too easily “resolved”. One PM explained that “NYCHA will adjourn the case 40-50 times, which may take 1-2 years, then they will send the file back explaining why the resident is not being evicted.” Another PM explained that “[s]ometimes the resident is put on probation ... we send the case downtown, ... result[ing] in a second probation ... I’ve seen 4-5 probations without a resident getting evicted.”

Unfortunately, resident witnesses are often unwilling or fearful to come forward. Staff also expressed concern about their own safety while enforcing lease rules. One Property Manager explained that “managers have to call them (residents) in for interviews, but I believe these interviews should be handled by someone outside the development. These are people who have engaged in criminal behavior and could be violent. It puts me and my staff in danger ... [t]hese people know where I am, know where I park, and it creates an unsafe situation.” Concerns prompted staff to suggest interviews should be performed by an individual who is “one layer removed” from the development. “Managers are not police officers – their lives should not be at risk.” NYCHA should consider, when crafting service agreements between central office departments for the neighborhood operating model, whether the Office of Safety and Security, or another central office resource can provide necessary support confronting violent or unstable situations at developments.

The divide between Public Housing Authority rules, and less restrictive local laws adds another layer of complexity for local rule enforcement. Residents do not distinguish between NYCHA rules and local laws. For example, the New York City Police Department (“NYPD”) Neighborhood Community Officers (“NCO”) will not provide development staff with support to enforce NYCHA rules when an observed activity is not in violation of New York City or State law. Individuals might smoke marijuana in hallways, in lobbies, in building entrances, or a resident can bar-b-que on a common area lawn with no interference from police, despite violating NYCHA rules. Property Management staff are expected to enforce the rules but “[w]e don’t have the resources or staffing levels to handle these situations and our regular workload.” Considering the “fear factor” expressed by many staff, rule violations often go unaddressed.

Circumstances involving overt criminal activity are managed differently. Staff consistently cited the “red folder” as indicative of a pending criminal case. There were some inconsistencies among staff regarding

how these cases are initiated. Some PMs indicated that NCOs provide development staff with a report that is transmitted to the Law Department for action. Others said that “red folders” come from downtown and local staff are not involved. Regardless, the Monitor team was impressed that criminal cases were consistently identified as higher risk and that staff approached those cases with guidance from the central office. Local property management staff have generally developed good relationships with local NYPD NCOs, reinforcing development engagement and the concept of a neighborhood operating model; however, there is little engagement with NAs. As the roles and responsibilities are more clearly defined by NYCHA in the development of the neighborhood operating model there is an opportunity for NAs to serve as a conduit for information sharing between the borough, central office and adjacent neighborhoods in dealing with the NYPD on enforcement matters.

While the Monitor team observed good relationship building at the development/local level, the role of the NA in connection with lease enforcement activities remains unclear and inconsistent across the boroughs. In the Bronx an NA reported that they act as the “legal liaison,” and will “... review cases and select priority cases across developments.” Another Bronx NA explained that they would , “... advise staff to report infractions to the PSA and/or the NCO and document incidents in the residents’ files and AS400.” In Brooklyn, an NA reported that “[o]pen cases are discussed between PM, OTA and Law Department, NAs are not involved and engage only if there is a big or substantial case.” Similarly, in other boroughs the NAs remained mostly uninvolved in the lease enforcement process. Creating a set of responsibilities for NAs’ role in NYCHA’s lease enforcement process that is consistent across the organization will benefit the success of the Neighborhood Model.

Non-Payment Cases & New Grievance Procedure

NYCHA’s primary goal of the Lease Enforcement initiative described in the Transformation Plan resulted in a significant amount of work completed in connection with non-payment cases. COVID helped to accelerate NYCHA’s need to develop policy focused on rent arrears. The response by development staff has been positive to the extent that NYCHA’s new non-payment policy has partially reduced their workload. Some responsibilities have been removed from Housing Assistants in connection with work on certain types of housing cases. The Law Department has developed a dedicated inbox for development staff inquiries, made a commitment to respond to all inquiries within 24 hours, and intends to resolve development questions within three days of contact. In training material developed and presented to staff, NYCHA reiterated its primary objective to prioritize non-payment cases and the Law Department’s option to proceed in other cases that, “... *threaten the health and safety of residents or staff.*”²³

In addition, a new grievance procedure was instituted in January 2022, corresponding with the re-opening of Housing Court and NYCHA’s focused approach on collecting rent and non-payment policy initiatives. One development staff member reported the “[n]ew procedure rolled out in May ... a three- step grievance process where the Property Manager can determine qualification.” The new grievance procedure seeks to improve transparency and ensure consistent practice across the organization. The

²³ This standard is applicable to holdover, licensee, squatter non-desirability and breach of rule cases.

procedure issued by memo, has yet to be incorporated into NYCHA's Management Manual, Chapter IV – Termination of Tenancy, last revised in March 2016.²⁴

The Law Department reported that cases advanced by the development staff were evaluated on a case-by-case basis and prosecuted accordingly. Overall, sentiment from development staff across all boroughs suggests that property management staff require more support from NYCHA lawyers, with demonstrable “wins” across all violations categories as evidence to problematic residents that NYCHA enforces its leases/rules. One staff member described it as, “...legal won't get our back.”

Illegal Occupancy & Licensee/Squatter Cases

Development staff generally refer to licensees as an individual who has remained in a NYCHA apartment after the tenant of record (on the NYCHA lease) has either left or is deceased. A licensee becomes a “squatter” after thirty days of remaining in the apartment, with no authority to be there. Every licensee is entitled to file a grievance to establish his/her right to retain the apartment as a remaining family member.²⁵

A Brooklyn PM explained that “[i]t is the housing assistant's responsibility is to follow up, knock on the door and make sure no one is there when someone moves out.” The current process, described by a Brooklyn PM, calls for the HA to check the unit the day keys are turned in, or the following day if they keys are turned in during the afternoon. But when probed to provide more details, the PM said, “I'm not sure how often it actually gets done. There should be no one in the apartment if it is done properly.”

Many of these cases result from legal occupants leaving someone in an apartment after they vacate who was not on the original lease, often related to the vacating lawful tenant. Staff are supposed to conduct inspections of vacant apartments, but it does not occur consistently. One Brooklyn PM indicated that 40% of apartment turnovers at her development were licensee cases. Another manager reported that NYCHA does not “right-size” apartments. Having one “...resident occupying a two- or three-bedroom apartment ... invites ... unauthorized tenants or illegal sublets.”

In one example, a resident took her husband and son off the NYCHA lease in anticipation of a requested transfer. Upon NYCHA transferring her into a new apartment she left her husband and child behind in the old unit creating a licensee case, that would eventually result in her remaining family having squatters' rights and two different apartments. “In the past, when we noticed a squatter, we issued a 10-day notice to vacate, now it's not that simple,” recounted a Brooklyn PM.

Development staff reported that it “ ... becomes difficult for NYCHA to take back an apartment. It is a game the residents are playing.” Unless aggressive action is undertaken to verify lawful remaining family members, and cases are quickly initiated against unauthorized licensees, then NYCHA's ability to evict is significantly diminished.

²⁴ The new procedure is one of multiple modifications that must be made to update the Management Manual. NYCHA's Law Department acknowledge the need to update Chapter IV – Termination of Tenancy but could not provide a timeline for the update to occur.

²⁵ Low-income public housing programs often refer to a family member of a deceased resident as a “Remaining Household Member”.

NYCHA's response to these cases is varied and existing policy does not support eviction of illegal occupants. For example, one property manager said, "[i]f the person subletting is a good person and quiet, most of the time we will never find out about it." This certainly bypasses the public housing application process, and it should be addressed. NYCHA also begins to collect "Use and Occupancy Fees" from illegal tenants legitimizing occupancy by a holdover/licensee making it more difficult to evict.

At another development, staff reported that they were " ... directed to call the police, [and to] not deal with squatters directly." However, it was reported in the same borough that "NYPD will not provide any assistance with squatters because the rule is for 30 days, and there is no way to determine when the clock started running so NYPD will not assist." Development staff are often fearful of retaliation, and often do not have the tools to address high conflict cases. One staff member recalled a squatter who occupied an apartment at Marlboro Houses. After notifying police, the individual was arrested, and the lock was drilled out. After a suit ensued against NYCHA, the Law Department instructed the NA to return the keys to the individual after the resident threatened to throw a pot of boiling water on the NA's face.

Some PMs report using the HUD EIV system regularly to identify deceased residents and to assume control of an apartment. The data is delayed and by the time development staff respond, they will often encounter someone who has already taken over the apartment.

There is a standard procedure in the final stages of review that deals with revisions and improvements to the moveout process among other issues.²⁶ The procedure will require property management to perform and log regular visits to units that are undergoing the turnover process to ensure that they are truly unoccupied. Instruction, training, support and accountability around the apartment turnover process must be reviewed by the property management/operations leadership to ensure that gaps presented are addressed in the development of the Neighborhood Model.

Training

Property management staff are aware of the processes associated with enforcing lease rules. A Brooklyn Property Manager said, "[w]e do this every day, there are lots of cases, so staff is very comfortable with this process. Staff really learns from hands-on training every day." Responses were consistent, action would always begin with a 185 letter, a conference with the resident and movement towards fact-finding and the next sequential step. There was little deviation from the process, but staff consistently said that they " ... would benefit from training on how to enforce rules, create cases, and develop evidence." One Property Manager went as far as to say the reason for additional training was "... so when cases [were] sent downtown the Law Department would act on them."

When asked about training, responses were varied. For example, staff in Brooklyn said, "no training is provided to address dealing with administrative cases," while acknowledging that "HAs get training before they start" which includes the process of initiating the preliminary steps to pursue a lease enforcement case. However, several Property Managers indicated that "[h]igh turnover can cause problems ... [with] 140 vacancies for HAs ... they are forced to cover more residents and more cases than they are supposed to." Concerning however, was one PM's account when speaking about illegal sublets that "...we may visit the unit and we'll still send it downtown even though we don't have evidence." Further into the

²⁶ SP 060:61:1, APARTMENT TURNOVER, MONTHLY BUILDING, AND OTHER MAINTENANCE INSPECTIONS (FORMERLY PREVENTIVE MAINTENANCE PROCEDURE)

conversation we were unable to determine whether this was a gap in training or an isolated instance of indifference on the part of an employee. Support and guidance from the borough and assigned NAs, after proper training, will assist with addressing this gap. Periodic review and consultation within neighborhoods will increase accountability and ensure cases are properly documented for further action.

In one instance a Brooklyn PM lamented that “... not everyone in NYCHA can use a computer ...” when discussing the lease enforcement process, tracking cases and receiving case updates.²⁷ Providing necessary computer training on a semi-annual basis to reinforce data tracking and case management must be considered.

Multiple staff at varying levels reported that they would “[w]elcome de-escalation and mental health training.” A Bronx PM described her job as often “... resolving conflicts between residents, playing the role of mediator, and giving residents an opportunity to work things out.” Mental illness was often cited by staff as a contributing factor in cases involving lease violations. A PM in Brooklyn said she tries to “stay engaged with residents who have mental health issues” but unfortunately “[p]eople with mental issues may fall to the side. Training for mental health issues would help, but there are so many other priorities.” A Manhattan PM said that “... mental health training should be provided to staff – all titles as long as you are dealing with residents.”

Communication with Residents

At the Brooklyn borough office staff said, “[m]ore training should be given to [R]APs so that they understand their role and how they can assist NYCHA and their residents.” RAPs, as well as the broader resident population, should have a better understanding of enforcement processes and limitations. RAPs should meet “... managers every month before their resident association meeting so that they (Managers) can communicate ... updates on cases and open issues but not necessarily with any private details.” Interestingly, despite the borough’s intentional effort towards transparency, a Brooklyn PM reported that “I don’t give out much information or have discussions with RAPs ... [y]ou cannot necessarily trust them.”

Staff reported varied interaction with resident leaders. Privacy is a concern to most staff.

“I try to give them whatever information I can, and respond to their complaints, but there is a lot I can’t share with them.”

“We are unable to report back progress on open cases due to privacy rules.”

“... we may get an update from the Law Department, but since it’s private information, we aren’t allowed to share updates with the residents.”

Both residents and staff would benefit from established guidance from the central office along with training in connection with the information that may be shared and best practices for communicating with residents. This would reinforce the neighborhood operating model and the development managers’ relationship with residents.

²⁷ Access to and limited training on how to use NYCHA systems is not unique to lease enforcement, it has been identified as an issue in other areas of the organization, primarily within the property management/operations vertical.

Work Order Reform

In 2019, NYCHA engaged a consultant to evaluate how to improve the organization's response to work orders. The initiative entitled Work Order Reform ("WOR"), first described in the Transformation Plan, resulted in a pilot that carried over into early 2021. Designed to tackle new work orders and not the existing backlog of unaddressed work orders, NYCHA's strategy was to improve its responsiveness to resident complaints. The WOR pilot had positive results; it included testing changes to NYCHA's organizational structure, staff allocation and most notably the process of sequencing work. As of Q2, WOR has been implemented in Queens, Staten Island, and the Bronx. It is also expected to be rolled out in Brooklyn and Manhattan during the latter part of 2022.

The Borough Monitoring team review of WOR has evolved during this year to account for nuances occurring during implementation. For example, since this reporting period is limited to observations occurring in the second quarter of the year, some of the issues raised by development staff have been adequately escalated and are in the process or have been addressed. Similarly, sentiment by staff regarding WOR reflected in interviews conducted earlier in the year may have changed over time. Recognizing the rapid change occurring as each borough implements new processes associated with WOR, items discussed below reflect observations at a point in time. The Borough Monitor team intends to continue to report on implementation progress as it occurs through the end of this year; however, we will revisit and report on WOR after full implementation across the entire enterprise.

Workload, Scheduling, Planning and Challenges

Staffing challenges continue to present variable risk to WOR. Bronx staff reported working twelve-hour days, often to ensure that resident calls do not go unaddressed. Management insist that planners and secretaries have mostly been able to manage the workload and volume of calls; however, work hours reflect a need to consider whether staffing levels are adequate. Despite efforts to hire a significant number of skilled trades workers managers continue to report a lack of the skilled trades positions necessary to handle incoming work orders, which is supported by the need to schedule work as far as three months and in some cases further into the future.

NAs are unable to fulfill their own responsibilities when they respond to developments to fill in for supervisory positions that are vacant. Vacation time has also impacted staffing needs. In addressing WOR, NYCHA did not consider the impact of vacation days, emergencies, medical leave or other variables that often limit the number of staff available on a given day. Staff suggested that more floaters are required to mitigate staff shortages.

Neighborhood Planners ("NP") continue to hold back as much as half of their workers to address high priority jobs and "roll-overs" which require multiple days to complete. The high priority jobs also referred to as "expedited" or "hot" jobs, may not be the most severe problems but are given priority.

The work order backlog is being addressed to a limited extent and with variable consistency across NYCHA. Dealing with the backlog "takes away from workers' availability for more recently reported repairs." During the second quarter there was a directive from the COO that all staff develop a plan to address work-order backlogs, modifying the original intent and design of the work order reform initiative. Despite a push to address the backlog, the WOR team resolved to continue to focus primarily on new work orders as originally intended for the WOR initiative. This was a positive outcome to the extent that NYCHA will

be able to fully evaluate the intended changes originally contemplated by the WOR initiative. Ultimately, the only way to address the backlog would be to hire substantially more skilled trades workers.

Prioritization of work orders is an ongoing challenge. Staff continue to report that it can be “...overwhelming and can feel chaotic, especially when multiple residents call in ...or when calls come in for ‘high’ priority jobs.” Specialized initiatives also “...take time away from planners, tie up skilled trades workers, often leaving few workers available for standard jobs.”

Discrepancies between boroughs have occurred as work order reform continues to roll out. Variations between the expectations of Neighborhood Planners between the boroughs currently seem to be of minor significance but must be considered if inter-borough transfers of staff occur. Inconsistencies resulted from a lack of standardized training, which NCYHA has since corrected. Once fully implemented, the program design for WOR reform was intended to reinforce consistency amongst the boroughs and developments.

Residents continue to call Neighborhood Planners for many issues beyond those work orders handled by the skilled trades. For example, annual reviews and maintenance work. When residents attempt to schedule work for issues beyond the skills trades, they have become increasingly frustrated with Neighborhood Planners who cannot assist. By seeking to improve outgoing communications NYCHA can better educate residents on how to resolve differing types of work orders and which department to contact.

Technology to support WOR has evolved to address newly identified operational issues. For example, although delayed for several weeks to May 2022, Maintenance Workers can now view all open work orders allowing staff to better identify, schedule and close out work orders more efficiently. In some cases, Maintenance workers will review unrelated open work orders in an apartment to determine status and take necessary action. NYCHA must consider providing additional training, updating standard procedures and requiring that maintenance workers conduct a work order review for follow-up every time they enter an apartment.

Duplicate work orders resulting from work outside of WOR have become increasingly common. This most often occurs with mold inspections. Annual Apartment Inspections generate duplicate paint work orders when a work order is created for each wall in the same room as a wall covered by a work order assigned to the skilled trades as part of WOR. Another example is circumstances when painters and vendors are independently assigned multiple overlapping painting work orders for the same unit. One Bronx development staff member attributed an increase in duplicative work orders to an “IT duplication block that was removed.”

Language barriers are a common occurrence serving NYCHA’s residents. As Neighborhood Planners communicate directly with residents to plan for work to occur, they are often reliant upon the Language Bank used by New York City agencies to provide interpretation assistance. Staff reported that this is generally working well, but it takes time, impacting overall output. One NP who does speak Spanish reported that “ ... he is constantly being pulled into calls to translate, with residents” leaving him with little time to address his own duties.

Training for Work Order Reform

Training remains an ongoing issue that impacts the day-to-day activities of WOR. Many of the challenges observed by the Monitor during the first quarter of the year remain. NYCHA staff are adapting to operational changes; however, skill gaps continue to impact staffs' ability to perform required tasks. In the Bronx for example, a NA reported that "... many workers have not been through initial orientation or basic training in key areas such as using Maximo and operating handheld devices." Beyond basic training, staff are also not adequately trained in special initiatives including Integrated Pest Management, Lead Renovation, Repair and Painting or Mold Busters. In some instances, staff reported not being assigned Maximo accounts and/or assigned handhelds.

Post-pandemic, "[p]ersonnel at the NA level and below feel like they are being setup to fail. More responsibilities, process changes and duties are being pushed down from Central Office than the current workforce can handle at current staffing levels ... the changes are coming down too fast for personnel in new roles to absorb and learn, particularly for personnel new to supervisory roles."²⁸ Staff were reportedly promoted to positions that they were not qualified to perform.

As a result of the pandemic, remote/online training became the primary mode to deliver information to staff. Historically, supervisors trained staff, including hands-on training at the developments. Training now provided primarily by Learning & Development does not integrate an on-the-job training component, nor is there adequate training focused on supervising/managing staff. Staff suggested that "L&D Training sessions should be recorded and made readily available." However, there is a substantial need for in-person attendance for the training to be effective. Other comments from development staff reflected gaps in training that have become more apparent during the roll out of WOR.

- "L&D training is too infrequent"
- "PM training needs to include data analysis, vendor contracting, and conducting Maximo searches"
- "Assistant Super doesn't know correct FC/PC resulting in duplicate child work orders"

Where individual NAs have taken on the responsibility of providing training staff, some are concerned that, "...[p]lanners will leave, and they will have to conduct training sessions again and coach their replacements ..." despite there not being enough time. One NA suggested that "... planners should be hired two months prior to [their start dates] ... in order for them to be properly trained." Ultimately, the lack of training has resulted in "[r]esidents [] becoming increasingly frustrated and angry when they call in to schedule repairs."²⁹

Hiring for Work Order Reform

Concerns about filling positions at boroughs where WOR has not been implemented continue. Boroughs transitioning to WOR later in the schedule continue to express concerns of "poaching" existing staff to fill open positions, leaving other boroughs with a limited pool of less capable staff. More concerning is the pipeline of backfill positions that remain open when promotions occur to fully staff WOR. This is

²⁸ While this comment was made broadly to include all titles, subsequent interviews with other staff reiterate a similar sentiment specifically for Building Supers and Assistant Supers.

²⁹ Since the second quarter role specific standardized training courses have been developed for the planning unit with positive results.

compounded by the high number of intra-development staff transfers that continue to occur, not just in connection with WOR, but across the organization.

Additional issues that have become prominent over the last quarter include:

- Provisional workers do not qualify to become permanent, resulting in a temporary workforce.
- New estimates for additional skilled trade hires are likely insufficient to address new work orders.
- Overtime is increasing due to insufficient staff to perform the work.
- Vendors must be hired to perform work to fill current staffing gaps for WOR.
- Scheduling for certain trades is backlogged by months for non-priority and non-emergency repairs.
- Workers are being promoted to positions for which they do not have adequate skills and experience.

Recommendations

Considering the information accumulated by the Borough Monitoring team in the second quarter of 2022, the team has identified areas of strength and weakness that must be considered by NYCHA for the successful evolution of the Neighborhood Model. The Neighborhood Model has been represented as a new operating model that seeks to integrate and address resident concerns and NYCHA's new way of conducting business. Operationalizing the individual "initiatives" that comprise the Neighborhood Model presents broad challenges. NYCHA leadership must define a distinct end state or goal for the "Neighborhood Model" that the whole of NYCHA staff is striving towards, so that front line staff can clearly see how new operational changes advance transformation to an ultimate organizational goal. The function of rule enforcement and managing resident compliance with NYCHA rules has not been thoroughly evaluated in the context of the new operating model.

The Monitor will engage with the Program Management Office, the Office of Strategy and Innovation, the Office of the Chief Operating Officer, and relevant Department Managers, to address identified challenges and to inform the continued development of the neighborhood operating model.

Rule Enforcement / Occupancy Management

- Evaluate current tools/methods available to development staff for deterring undesirable resident behavior and explore new options with resident and staff input.
- Develop and document lease enforcement policies that consider administrative cases (including breach of rule and undesirability cases) to increase transparency and to provide clear guidance for operations/property management staff.
- Update Management Manual, last updated 2016, to reflect recent and new policy changes.
- The Law Department and OTA should develop training for appropriate operations staff that reflect new policies and is periodically deployed by Learning and Development.
- Implementation of the neighborhood operating model must include the Law Department and other NYCHA business units who support the lease enforcement process; future adjustments to business processes require augmenting enforcement support for development staff.

- Hire additional staff, assigned to the Office of Safety and Security, as security specialists. These individuals should be aligned with the neighborhood operating model and charged with, among other things, providing investigative and enforcement support to front-line staff in furtherance of enforcing NYCHA rules and leases. These positions should be primarily responsible for ensuring safe and secure conditions for residents and NYCHA staff and will act as a buffer between development staff and non-compliant residents.
- Review policies and procedures in connection with resident move-outs and turnover; Develop a process to hand-over and change locks on move-out (same day) to reduce illegal occupancy by unauthorized individuals not identified in NYCHA leases.
- Develop guidance for staff to access policies procedures and contact information for Law Department staff on the NYCHA Connect Portal.
- Incorporate KPI standards into NYCHA Stat that track: referrals to OTA, OTA referrals to the Law Department, prosecuted cases by the Law Department, actual evictions and success rate of alternatives to case prosecution.
- Evaluate and strengthen data tracking and reporting systems used at each stage of the lease enforcement process; this includes considerations to upgrade and integrate legacy systems (e.g., AS400, Siebel).
- Develop training and corresponding policies that inform discretionary decisions by property management to permit individuals to retain apartments who are not remaining family members or authorized to live in apartments.
- Provide staff training on de-escalation techniques, mitigating mental health challenges, evidence collection and lease enforcement case development. Consider train-the-trainer programs and empowering NAs to take on an active training/leadership role.

Work order Reform

- The Borough Monitoring team is deferring recommendations until further evaluation and consideration of ongoing efforts to mitigate issues as they arise.
- Full implementation efforts across the enterprise must be realized for the Borough Monitoring team to fully assess the programmatic impact.